

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FREDERICK TED SPENCER,

Petitioner,

Case No. 09-13362

v.

Honorable Patrick J. Duggan

DEBRA SCUTT,

Respondent.

ORDER GRANTING PETITIONER'S MOTION TO SET BAIL

Petitioner Frederick Spencer ("Petitioner") is serving a life sentence for felony murder and a two to ten year sentence for arson of a dwelling house and preparation to burn property over \$20,000 in connection with a fire at his home in Shepherd, Michigan on January 30, 2000. In 2009, Petitioner timely sought a writ of habeas corpus pursuant to 28 U.S.C. § 2254, which this Court granted in an Opinion and Order dated February 6, 2013. On April 22, 2013, Petitioner filed a motion to set bail seeking to be released pending Respondent's appeal of this Court's February 6, 2013 Opinion and Order conditionally granting a writ of habeas corpus. In an Opinion entered on this date, the Court determined that Petitioner is entitled to release pending appeal.

Accordingly,

Petitioner's Motion to Set Bail, (ECF No. 26), and his concomitant request for release bond pending appeal, is **GRANTED**. Petitioner shall be released on a \$10,000 unsecured bond with conditions to report as directed to Pretrial Services in the Western District of Michigan, restrict travel to the State of Michigan unless prior approval is given by Pretrial Services, consume no alcohol, submit to alcohol testing as directed by Pretrial Services, reside with sister, Coreen Spencer, at the address provided to Pretrial Services, participate in mental health treatment as directed by Pretrial Services, and refrain from any contact with victim's family or witnesses.

IT IS SO ORDERED.

Date: September 25, 2013

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

David A. Moran
Imran J. Syed
Sarah C. Zearfoss
Linus R. Banghart-Linn